

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

TESLA MOTORS, INC.,

Plaintiff,

v.

RUTH JOHNSON, et al.,

Defendants.

Hon. Janet T. Neff

Case No. 1:16-cv-01158

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ORDER

This matter is before the Court on Subpoena Respondents' Objection (ECF No. 116) to Proposed Order submitted by Tesla (ECF No. 114) regarding Non-Party Respondent Senator Joe Hune's Objections to Plaintiff Tesla Motors, Inc.'s Subpoena to Produce Documents (ECF No. 56), Non-Party Respondent Representative Jason Sheppard's Objections to Plaintiff Tesla Motors, Inc.'s Subpoena to Produce Documents (ECF No. 57), Non-Party Subpoena Respondents' (Michigan State Senator Joe Hune and Michigan State Representative Jason Sheppard) Motion to Quash and for Protective Order (ECF No. 58), Tesla Inc.'s Motion to Compel Defendants and/or Senator Hune and Representative Sheppard to Produce Legislator Documents (ECF No. 71).

The respondents' objections to the proposed order submitted by Tesla are rejected and are dismissed with prejudice. Although the objections are technically correct regarding the timing the Court discussed at the hearings on June 15, 2017 and June 16, 2017, the Court notes that it would be absurd to limit the subpoena as to Respondent Sheppard to the exact same time period as Respondent Hune because Sheppard was not even in office at the beginning of the time period. Rather, the Court's intent was to

limit it to a period of 12 months prior and six months subsequent to relevant events. The Court may have been amiss in not directly addressing the time period for Respondent Sheppard but finds that Plaintiff's proposed order (ECF No. 114) comports with the Court's intent in this regard. Thus, Plaintiff's proposed order (ECF No. 114) shall issue. Non-Party Subpoena Respondents' (Michigan State Senator Joe Hune and Michigan State Representative Jason Sheppard) Objections (ECF No. 116) are dismissed with prejudice. As such,

IT IS HEREBY ORDERED that Non-Party Respondent Senator Joe Hune's Objections to Plaintiff Tesla Motors, Inc.'s Subpoena to Produce Documents (ECF No. 56), Non-Party Respondent Representative Jason Sheppard's Objections to Plaintiff Tesla Motors, Inc.'s Subpoena to Produce Documents (ECF No. 57), Non-Party Subpoena Respondents' (Michigan State Senator Joe Hune and Michigan State Representative Jason Sheppard) Motion to Quash and for Protective Order (ECF No. 58) are **granted in part and denied in part** in compliance with Tesla's proposed order (ECF No. 114). Tesla Inc.'s Motion to Compel Defendants and/or Senator Hune and Representative Sheppard to Produce Legislator Documents (ECF No. 71) is **granted in part and denied in part**, also in compliance with the proposed order (ECF No. 114).

IT IS SO ORDERED.

Date: August 21, 2017

/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
U.S. Magistrate Judge